



Entered on Docket
June 21, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

- ☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

ORDER SUSTAINING OMNIBUS OBJECTION OF THE USACM LIQUIDATING TRUST TO CLAIMS ASSERTING ADMINISTRATIVE EXPENSE STATUS

The USACM Liquidating Trust (the "USACM Trust") filed its Omnibus Objection to Claims Asserting Administrative Expense Status [DE 3253] (the "Objection") on March 23, 2007. Appropriate notice of the Objection was given. Responses to the Objection were filed with this Court as follows:

- Response filed by Goold Patterson Ales & Day [DE 3451] pertaining to Claim No. 10715-00761. A separate stipulation or motion will be filed.
- Response filed by CDW Computer Centers, Inc. ("CDW"), [DE 3427] pertaining to Claim No. 10725-00003. A separate stipulation and order resolving has been filed resolving this objection.

No other responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Omnibus Objection to Claims Asserting Administrative Expense Status and reclassifying Proof of claim No. 10726-01656, filed by National City Commercial Capital Corp. fka Information Leasing Corporation as a general unsecured claim; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on the Objection as unsecured claims or otherwise, whether or not the subject of this Objection; and
- Denying the USACM Trust's Omnibus Objection to Claims Asserting Administrative Expense Status on: Proof of Claim No. 10725-00003 filed by CDW Computer Centers, Inc. An Order Approving a Stipulation Between CDW and the USACM Liquidating Trust previously allowed CDW Claim No. 10725-00003 as an Administrative Claim in the amount of \$1,381.30; and

• Reserving Proof of Claim No. 10725-00761 filed by Goold Patterson Ales &
Day for resolution by the parties or the Court.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

APPROVED/DISAPPROVED
CDW COMPUTER CENTERS, INC.

By: 
Phyllis A. Hayes
Receivable Management Services
Agent for CDW Computer Centers, Inc.

APPROVED/DISAPPROVED
GOOLD PATTERSON ALES & DAY

By: Kelly J. Brinkman
Attorneys for Administrative Creditor

• Reserving Proof of Claim No. 10725-00761 filed by Goold Patterson Ales &
Day for resolution by the parties or the Court.

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PREPARED AND SUBMITTED:

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By: /s/ RC (#0006593)
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Attorneys for USACM Liquidating Trust

APPROVED/DISAPPROVED
CDW COMPUTER CENTERS, INC.

By: _____
Phyllis A. Hayes
Receivable Management Services
Agent for CDW Computer Centers, Inc.

APPROVED/DISAPPROVED
GOOLD PATTERSON ALES & DAY

By: 
Kelly J. Brinkman
Attorneys for Administrative Creditor

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

☐ The Court waived the requirements of LR 9021.

☒ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:

☒ approved the form of this order;

☐ waived the right to review the order;

☐ failed to file and serve papers in accordance with LR 9021(c); and/or

☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).

☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order:

☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing (none required).

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust